

SEP 17 2009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:	Application of Thomas	)	
		)	
Serial No.:	10/716,360	)	
		)	Art Unit: 3772
Filed:	November 18, 2003	)	
		)	Attorney docket No. 1440.2032-001
For:	Gas system and methods for	)	Attorney docket No. CMD-069
	enabling respiratory stability	)	
		)	
Examiner:	Nihir B. Patel	)	
		)	

September 17, 2009

**AMENDMENT**

Commissioner of Patents and Trademarks  
Alexandria VA 22313-1450

Dear Sir:

The Applicant responds to the Office action with mail date June 19, 2009, and submits this amendment is both timely and in compliance. While Applicant believes no extension of time is necessary, if an extension is needed, the Applicant petitions for such extension and authorize the Patent Office to deduct any costs from their deposit account 502704.

Attorney Brian M. Kolkowski (Reg. No. 36,847), who is authorized to act in a representative capacity in this case, responds.